

HOUSE BILL 1375

By Kernell

AN ACT to amend Tennessee Code Annotated, Title 2,
Chapter 9 and Title 2, Chapter 5, Part 2, relative to
ballots and voting machines.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-5-206(b)(2), is amended by
deleting the following language:

The ballot format for C.E.S., Inc., Votomatic, or other comparable punch card systems shall be governed by the rules set out by the coordinator of elections and the state election commission under § 2-9-110. The ballot format for Shouptronic or other comparable direct recording electronic voting systems shall be governed by the rules set out by the coordinator of elections and the state election commission under § 2-9-110. Such rules shall be approved by not less than four (4) members of the state election commission;

and by substituting instead the following language:

The ballot format for C.E.S., Inc., Votomatic, or other comparable punch card systems shall be governed by the rules set out by the coordinator of elections and the state election commission under § 2-9-110; provided that such rules require that political party nominees shall be indicated by "D" or "R" and independent candidates by "I". The ballot format for Shouptronic or other comparable direct recording electronic voting systems shall be governed by the rules set out by the coordinator of elections and the state election commission under § 2-9-110; provided that such rules require that political party nominees shall be indicated by "D" or "R" and independent candidates by "I". Rules promulgated pursuant to this subdivision (2) shall be approved by not less than four (4) members of the state election commission;

SECTION 2. Tennessee Code Annotated, Section 2-5-206, is amended by adding the following language as a new, appropriately designated subsection:

(g) Any rules set out by the coordinator of elections and the state election commission shall be posted on the website of the coordinator of elections.

SECTION 3. Tennessee Code Annotated, Section 2-9-117, is amended by adding the following language at the end of the section:

The state coordinator of elections shall post information on the state coordinator of election's website describing the voting machines approved for use by the state coordinator of elections and the state election commission and the criteria used to make such approval determinations.

SECTION 4. The state coordinator of elections shall report to the senate and house state and local government committees prior to February 15, 2008 concerning the use of voting machines in this state, problems associated with voting machines in this state, and technologies and best practices used in other states. The coordinator of elections shall also recommend legislation to improve the quality of voting machines in this state.